

## IN THE CLAIMS

Please amend the claims to read as follows:

### Listing of Claims

Claims 1-24 (Cancelled).

25. (Currently Amended) A method for controlling ~~[[the]]~~ a transport format for retransmissions of ~~amount of information in retransmission~~ data packets transmitted on uplink from a transmitting apparatus entity to a receiving apparatus entity via at least one uplink data channel using a synchronous hybrid automatic repeat request (HARQ) protocol and soft combining of received data, the method comprising:

transmitting an uplink ~~[[a]]~~ data packet via the uplink data channel from the transmitting apparatus entity to the receiving apparatus entity,

receiving a feedback message from the receiving apparatus entity at the transmitting apparatus entity, wherein the feedback message is transmitted via an acknowledgment channel and indicates whether the uplink data packet has been successfully received by the receiving apparatus entity,

in case the uplink ~~feedback message indicates that the~~ data packet has not been received successfully, receiving via a scheduling related control channel and in parallel to the feedback message a control message at the transmitting apparatus entity for the unsuccessfully received uplink data packet, wherein the control message indicates a transport format for a ~~restricts the~~

~~amount of information to be sent in the~~ retransmission of ~~data packet~~ for the unsuccessfully received uplink data packet, and

transmitting ~~the~~ [[a]] retransmission of the unsuccessfully received uplink data packet from the transmitting apparatus entity to the receiving apparatus according to the transport format indicated in the control message using a synchronous transmission timing based on the synchronous HARQ protocol ~~entity comprising an amount of information indicated in said control message.~~

26. (Currently Amended) The method according to claim 25, wherein the control message indicates the maximum and minimum number of bits ~~amount of information~~ or a maximum number of bits ~~amount of information~~ in the retransmission ~~data packet~~.

Claims 27-30 (Cancelled).

31. (Currently Amended) The method according to claim 25 ~~[[30]]~~, wherein ~~the~~ control message indicates not to transmit the retransmission ~~data packet~~ after a predetermined time span upon having received the ~~said~~ feedback message.

32. (Previously Presented) The method according to claim 25, wherein the control message is a TFC (Transmission Format Combination) control message.

33. (Currently Amended) The method according to claim 25, further comprising soft-combining the uplink data packet and its retransmission data packet and ~~the transmitted data packet~~ at the receiving apparatus entity ~~at the receiving entity~~ to obtain a combined data packet.

34. (Currently Amended) The method according to claim 33, further comprising decoding the combined data packet at the receiving apparatus entity.

35. (Currently Amended) The method according to claim 34, wherein the transport format in the transmitted control message indicates the retransmission's retransmission data packet's ~~retransmission data packet's~~ amount of information necessary for successfully decoding of the combined data packet.

36. (Currently Amended) The method according to claim 33 ~~[[25]]~~, further comprising determining the transport format ~~amount of information~~ for the retransmission data packet at the receiving apparatus entity based on the reception quality of the data packet or the combined data packet.

37. (Currently Amended) The method according to claim 25, further comprising transmitting said uplink data packet via a first uplink data channel from the transmitting apparatus entity to the receiving apparatus entity, and transmitting wherein said retransmission

~~data packet is transmitted~~ via a second uplink data channel from the transmitting apparatus entity to the receiving apparatus entity.

38. (Currently Amended) The method according to claim 37, wherein transmission time interval of the first uplink data channel is smaller than the transmission time interval of the second uplink data channel.

39. (Currently Amended) The method according to claim 25, wherein the transmitted uplink data packet and ~~its~~ the retransmission ~~data packet~~ are transmitted via at least one dedicated transport channel.

40. (Currently Amended) A receiving apparatus entity for receiving uplink data packets from a transmitting apparatus entity via at least one uplink data channel using a synchronous hybrid automatic repeat request (HARQ) protocol and soft combining of received uplink data, the receiving apparatus entity comprising:

a receiving unit ~~that receives an uplink~~ operable to receive a data packet via the uplink data channel from the transmitting apparatus entity, and

a transmitting unit ~~that transmits~~ operable to transmit a feedback message via an acknowledgment channel to the transmitting apparatus entity, wherein the feedback message indicates whether the uplink data packet has been successfully received by the receiving apparatus entity,

wherein in case the data uplink packet has not been received successfully, the transmitting unit further transmits in parallel to the feedback message ~~is operable to transmit~~ a control message via a scheduling related control channel to the transmitting apparatus entity for the unsuccessfully received uplink data packet ~~in case the feedback message indicates that the data packet has not been received successfully~~, wherein the control message indicates a transport format for a ~~restriets the amount of information to be sent in a retransmission of~~ data packet for the unsuccessfully transmitted data packet, and

wherein the receiving unit further receives the ~~is operable to receive~~ a retransmission ~~data packet~~ from the transmitting apparatus according to the transport format indicated in said control message, using a synchronous reception timing based on the synchronous HARQ protocol ~~entity comprising an amount of information indicated in said control message~~.

41. (Currently Amended) A transmitting apparatus entity for transmitting uplink data packets to a receiving apparatus entity via at least one uplink data channel using a synchronous hybrid automatic repeat request (HARQ) protocol and soft combining of uplink received data, the transmitting apparatus entity comprising:

a transmitting unit that transmits an uplink ~~operable to transmit~~ a data packet via the uplink data channel from the transmitting apparatus entity, and

a receiving unit that receives ~~operable to receive~~ a feedback message via an acknowledgment channel from the receiving apparatus entity, wherein the feedback message indicates whether the uplink data packet has been successfully received by the receiving apparatus entity,

wherein in case the uplink data packet has not been received successfully by the receiving apparatus, the receiving unit further receives in parallel to the feedback message is-  
operable to receive a control message at the transmitting entity for the unsuccessfully received  
uplink data packet via a scheduling related control channel, in case the feedback message  
indicates that the data packet has not been received successfully, wherein the control message  
indicates a transport format for a restricts the amount of information in a retransmission of data-  
packet to be sent for the unsuccessfully received uplink data packet, and

wherein the transmitting unit further transmits the is operable to transmit a retransmission  
according to the transport format indicated in said control message using a synchronous  
transmission timing based on the synchronous HARQ protocol data packet to the receiving entity  
comprising an amount of information indicated in said control message.

42. (New) The method according to claim 25, wherein the transport format indicates a modulation scheme and code rate for the retransmission.

43. (New) The method according to claim 25, wherein the transmission power used for the uplink data packet requires a higher transmission power than that for the transmission of the indicated amount of information.

44. (New) The receiving apparatus according to claim 40, wherein the receiving apparatus is a base station.

45. (New) The transmitting apparatus according to claim 41, wherein the transmitting apparatus is a mobile terminal.

46. (New) The method according to claim 25, wherein the transport format indicates the redundancy version for the retransmission.

47. (New) The receiving apparatus according to claim 40, wherein the transport format indicates the redundancy version for the retransmission.

48. (New) The transmitting apparatus according to claim 41, wherein the transport format indicates the redundancy version for the retransmission.

49. (New) The transmitting apparatus according to claim 41, wherein the receiving unit monitors the scheduling related control channel and the acknowledgement channel upon having transmitted the data packet.